



DEPARTMENT OF THE ARMY
HEADQUARTERS, UNITED STATES ARMY FORCES COMMAND
FORT MCPHERSON, GEORGIA 30330-8000

REPLY TO
ATTENTION OF

AFLG-PROM

26 December 1996

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Contracting Information Letter (CIL) 97-15

1. This CIL contains information on the following:

- a. IMPAC Program Clarification,
- b. Information Item on Use of the IMPAC with Defense Commissary Agency (DeCA),
- c. IMPAC Purchase Card Delinquent Payments,
- d. New Policy for Property Accountability Thresholds,
- e. Annual Report of Unauthorized Commitments (UACs),
- f. FY 97 Revised CMR Schedule,
- g. Competitive Professional Development Assignment Opportunities, and
- h. GAO Protest, Nations, Inc., B-272455, November 5, 1996.

2. IMPAC Program Clarification. Clarification is provided on the new financial policy issued by the ASA(FM) 16 Sep 96. The assignment of a single accounting classification to purchase cards and bulk reservation of funds only applies to micropurchases (currently \$2500 or less). Cards used by the contracting office and others using AL 96-3 procedures to procure/pay for supplies and services over \$2500 are exempt from this requirement. A waiver from DA is not required.

3. Information Item on Use of the IMPAC with Defense Commissary Agency (DeCA). At enclosure 1 is RMA Memorandum, 2 May 96, subject: Elimination of Charge Sales. DeCA has eliminated charge sales in favor of cash, check and the acceptance of credit cards, to include the IMPAC. Effective date was 1 Oct 96.

AFLG-PROM

SUBJECT: Contracting Information Letter (CIL) 97-15

4. IMPAC Purchase Card Delinquent Payments. At enclosure 2, for your information, is a memorandum from the Deputy Assistant Secretary of the Army (Financial Operations), 15 Nov 96, subject: IMPAC Purchase Card Delinquent Payments. Request you work closely with the DFAS-IN and RMBCS "strike force" team to reconcile accounts and pay what is owed. Additional information on upcoming IMPAC changes can be found at Purchase Card Bulletin 97-1 issued 12 Dec 96. For additional information on the IMPAC, please contact Ms. Pat Boterweg at DSN 367-5486.

5. New Policy for Property Accountability Thresholds. The message at enclosure 3 was sent to all FORSCOM Property Book Officers in Oct 96 and is provided for your information. In paragraph 2.C, the threshold for fabricated items pertains to IOC installations only; the list of FSCs pertains to both IOC and all other installations. Changes are now in effect. Contact Ms. Pat Boterweg at DSN 367-5486 for additional information.

6. Annual Report of Unauthorized Commitments (UACs).

a. The review of annual reports of UACs for FY 96 submitted in accordance with FFARS 1.602-3 is complete. We congratulate you for progressively improving your track record in the management of UACs. During FY 96, no UACs greater than \$25,000 were reported compared to 5 reported in FY 95 and 3 in FY 94. There are 164 UACs less than \$25,000 compared to 152 in FY 95 and 182 in FY 94. Please continue to be proactive with positive and aggressive leadership in monitoring UAC activity, revising local policy to make it more effective, and decreasing the UACs that are less than \$25,000.

b. You are reminded to submit a quarterly report of UACs below \$25,000 to the concurring officials; i.e., unit commander, director or activity chief, and the Garrison Commander. (See CIL 96-19, Increased Delegations of Authority and Revised Policy on Processing UACs, dated 26 April 1996.)

c. For additional information, please contact Ms. Julie Grace at DSN 367-5690.

7. FY 97 Revised CMR Schedule. The revised FY 97 CMR schedule, as of 23 December 1996, is at enclosure 4.

AFLG-PROM

SUBJECT: Contracting Information Letter (CIL) 97-15

8. Competitive Professional Development Assignment Opportunities.

a. Reference memorandum, SFAE-CSA-COP, 9 Dec 96, SAB (encl 5).

b. Subject memorandum reminds civilian employees in the contracting and acquisition career program (CP-14), of FY 97 Professional Developmental Assignment Opportunities in the Office of the Deputy Assistant Secretary of the Army (Procurement) (DASA(P)).

9. GAO Protest, Nations, Inc., B-272455, November 5, 1996. See encl 6, SAB. This protest deals with the definition of "advisory and assistance" services and sustains a protest filed against an improper award of a requirement for professional technical services.



TONI M. GAINES
Chief, Contracting Division, DCSLR
Principal Assistant Responsible
for Contracting

6 Encls
as

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ARMY ATLANTA CONTRACTING CENTER, ATTN: AFLG-PRC

REPLY TO
ATTENTION OF

RMA

**DEFENSE COMMISSARY AGENCY
HEADQUARTERS
FORT LEE, VIRGINIA 23801-6300**

MAY 02 1996

MEMORANDUM FOR EXECUTIVE DIRECTOR, MWR AND RESALE ACTIVITIES,
OASD (FMP)
DIRECTOR FOR LOGISTICS, J4 JOINT STAFF
DIRECTOR, SUPPLY, PROGRAMS AND POLICY DIVISION
NOP, USN
DIRECTOR FOR AIR FORCE SERVICE, USAF
DIRECTOR, TRANSPORTATION, ENERGY AND TROOP
SUPPORT (DTRETS)
DIRECTOR OF FACILITIES AND SERVICES, US MARINE
CORPS
SERGEANT MAJOR OF THE ARMY
CHIEF MASTER SERGEANT OF THE AIR FORCE
SERGEANT MAJOR OF THE U. S. MARINE CORPS
MASTER CHIEF PETTY OFFICER OF THE NAVY

SUBJECT: Elimination of Charge Sales

The Defense Commissary Agency (DeCA) has explored many new initiatives to remain current with commercial supermarkets, improve customer service and reduce expenses. One of these initiatives is the acquisition of the Defense Commissary Information System (DCIS), a Commercial Off the Shelf (COTS) business system. DCIS will provide DeCA the capability to mirror commercial industry practices and operate more efficiently and cost effectively.

Currently organizations and activities (e.g., appropriated and nonappropriated fund activities, the American Red Cross, Military Groups, U.S. Navy ships, embassies etc.) are permitted to make purchase at the commissaries on a charge sale basis. In order to conform to the DCIS COTS business system, DeCA will be required to discontinue charge sales effective October 1, 1996. Alternative forms of payment will be cash, check, and the acceptance of credit cards to include IMPAC (International Merchant Purchase Authorization Card), MasterCard, and VISA.


DeCA believes this policy change has the potential to:

- Reduce the administrative costs to DeCA and DFAS (Defense Finance and Accounting Service) associated with processing and maintaining charge sale accounts.
- Reduce the accounting costs and simplify the process for organizations and activities making purchases from DeCA.
- Assist the U.S. Treasury by providing next day availability of funds.

ACTION OFFICER FILE COPY

- Alleviate some of the paperwork on the customers part, and provide a very concise, timely, accurate audit trail for the organization or activity.

I would appreciate your support in coordinating this policy change within your respective Service.


RICHARD E. BEALE, JR
Major General, USA
Director

November 15, 1996

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: IMPAC Purchase Card Delinquent Payments

Rocky Mountain BankCard System (RMBCS) recently advised the Army that open unpaid invoices total approximately \$10 million and that the bank considers these accounts delinquent. All the invoices are over 60 days old, and roughly half are over 90 days old (as of 30 September 1996). A joint working group composed of Army, DFAS, and RMBCS personnel convened on 6 November to address the delinquent payment issue. The working group concluded that invoices remained open and unpaid for several reasons including unreconciled disputes, unpaid estimated accrued interest, and posting errors by either the bank or by DFAS. *A joint effort to reconcile these accounts, invoice by invoice, is required to resolve the delinquency issue.*

DFAS-IN and RMBCS agreed to establish a "strike force" team to reconcile all accounts, ensure that payments have been properly credited to the appropriate invoices, and determine the amounts still actually owed to RMBCS. The team will meet in early December to plan the reconciliation process. The projected completion date to resolve all delinquencies is mid-February, 1997. Resource Managers are requested to take proactive measures to support and assist the team in this reconciliation effort. In conjunction with the Activity Program Coordinators and the servicing Finance and Accounting organization, please begin immediately to accumulate documentation that supports the payment history of each invoice listed on the Invoice Status Report. The Invoice Status Report (RMBCS F109-PROC), which lists delinquent invoices, is provided to both the APC and the designated billing office by RMBCS each month. Resource Manager involvement in this effort is critical because interest payment penalties, which must be paid from your operating funds, continue to compound against the unpaid balances.

The strikeforce reconciliation should be a one-time exercise. ASA(FM&C), SARDA, DFAS, and OUSD(C) are working on multiple projects that will reduce the incidence of future delinquencies and improve communications between the bank and the paying offices. Some of these initiatives include updating DFAS paying systems to provide more detailed information to the bank, invoicing at the approving official level, *appointing the approving official as the invoice certifying officer*, delaying the dispute process and showing the unpaid balance on each card holder's statement. Implementing these solutions will require that the Army switch to a new software platform offered by the bank. Tentative plans have us moving to this new platform beginning in April 1997 providing the contract modifications and training packages are completed. We will be sending out more information on this initiative as it develops.

My points of contact for this action are Mr. Dennis Joe or Ms Kathleen Miller. They can be reached at (703) 697-5835 / 0757 or DSN 227-5835 / 0757, fax number (703) 695-2028 or email at Joed@hqda.army.mil or Millerk@hqda.army.mil.

//original signed//
Ernest J. Gregory
Deputy Assistant Secretary of the Army
(Financial Operations)

DISTRIBUTION

COMMANDER-IN-CHIEF, USAREUR, ATTN: AEAGF-RM

**COMMANDER,
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SUPERINTENDENT, U.S. MILITARY ACADEMY, ATTN: MARM

P 010900Z OCT 96
 FM DA WASHINGTON DC//DALO-SMZ-C//
 TO RUFDAAU/CINCUSAREUR HEIDELBERG GE//AEAGD-SM-S//
 RUEASRB/CDRFORSCOM FT MCPHERSON GA//AFLG-SMS//
 RUEAAMC/CDRAMC ALEXANDRIA VA//AMCLG-SM//
 RUEAAIA/CDRTRADOC FT MONROE VA//ATBO-HSS//
 RUAGAMS/CDRUSAEIGHT SEOUL KOR//EAGD-MS-S//
 RUEAHIC/CDRUSARPAC FT SHAFTER HI//APLG-MMS//
 RUERFCP/CDRUSARSO FT CLAYTON PM//SOLG-LO//
 RUEAHUA/CDRUSAISC FT HUACHUCA AZ//ASLO-LOD//
 RUERHNB/CDRUSASOC FT BRAGG NC//AOLO-PA//
 RUEANEA/CDRUSACE WASHINGTON DC//CELD-MS//
 RUEAMTC/CDRMTMC FALLS CHURCH VA//MTPAL-LO//
 RUEANBA/CDRUSACIDC WASHINGTON DC//CISP-LO-SS//
 RUERSHH/CDRUSAMEDCOM FT SAM HOUSTON TX//MCLO-S//
 RUDHAAA/CDRINSCOM FT BELVOIR VA//IALOG-S//
 RUEAMDW/MDW DCSLOG WASHINGTON DC//ANLOG-LS//
 RUERGAH/SUPT USMA WEST POINT NY//MALO-D-A//
 RUEASPC/USARSPACE COLORADO SPRINGS CO//MOSC-SL-S//
 RUEASRB/CDRUSARC PROV FT MCPHERSON GA//AFRC-LGS-S//
 RUERNIL/CDRAMC ISA ROCK ISLAND IL //AMXEN-S//
 RUEAAGA/COMDT QMSCH FT LEE VA//ATSM-LTD-WD//
 RUERMMA/CDRORDCENSCH ABERDEEN PROVING GROUND MD//ATSL-CD-
 CS//
 RUEAEJA/COMDT TRANSSCH FT EUSTIS VA//ATSP-CMT//
 RUERRSA/COMDT ORDMMCS REDSTONE ARSENAL AL//ATSK-CMT//
 RUERRSA/COMDT USADACEN REDSTONE ARSENAL AL//SMCAC-AV//
 RUERRSA/DIRLOGSA REDSTONE ARSENAL AL //AMXLS-RSP//
 RUKLDAR/DIRLIA ALEXANDRIA VA //LOIA-ZA//
 RUEAAGE/CDRUSACASCOMFL FT LEE VA//ATCL-SA//
 RUEAAGQ/CDRUSAISDCL FT LEE VA//ASQB-ILS//
 RUEAAGA/PMILOGS FT LEE VA //SFAE-PS-RS//
 RUEMANA/CDRUSALIA NEW CUMBERLAND PA//LOIA-LM//
 RUEALKY/DIRLOGSA MIIC CHAMBERSBURG PA //AMXLS-MSP//
 RUEANBA/DIRUSAEHSC FT BELVOIR VA //SFIS-IS-AH//
 RUEADWD/DA WASHINGTON DC//SARDA-ZX/SAIS-ZX/DAIM-ZX//
 AIG 7447
 INFO RUEADWD/DA WASHINGTON DC//SAILE/SAFM/SFFM-FCL/SAAG-
 LF/DAAR-LO/
 /NGB-ARL-L/DAJA-AL/SAIG-ID/DAMI-ZA/
 DAMO-FDZ/DAMO-ODL
 /DASG-HCL/SAIS-PS/DALO-SMP/DALO-PLI/
 IM-IS/DALO-RMI
 /DALO-TST/DALO-SMR/DALO-POD//

BT

UNCLAS

SUBJECT: NEW POLICY FOR PROPERTY ACCOUNTABILITY THRESHOLDS
 ASSIGNED
 FOR PROPERTY BELOW THE STOCK RECORD ACCOUNT

A. AR 735-5 POLICIES AND PROCEDURES FOR PROPERTY
ACCOUNTABILITY

28 FEB 94

B. MY 151222Z JUL 96 SUBJ PROPERTY ACCOUNTABILITY THRESHOLD
AND CONTROLLED ITEM INVENTORY CODE (CIIC) "7" ITEMS

1. PUBLIC PROPERTY REQUIRES THE EXERCISE OF PROPER
STEWARDSHIP WHEN ENTRUSTED TO THE CARE OF THE ARMY. IN
ORDER FOR THE ARMY TO BE SUCCESSFUL IN ITS MISSION, PUBLIC
PROPERTY ACCOUNTING AND VISIBILITY MUST BE A VITAL
OBJECTIVE. RESOURCE CONSTRAINTS ARE CAUSING THE AXIOM OF
DOING MORE WITH LESS A REALITY. THE ARMY MUST ENSURE THAT
PUBLIC PROPERTY IS PROPERLY USED AND CARED FOR AND THAT
PROPER CUSTODY AND SAFEKEEPING ARE PROVIDED. ONLY WHEN THIS
IS ACCOMPLISHED CAN IT BE ASSURED THAT MISSION CAN BE
ACCOMPLISHED AND READINESS GOALS ARE MET. NEW PROPERTY
ACCOUNTABILITY THRESHOLD POLICIES FOR FORMAL ACCOUNTING
RECORDS BELOW THE STOCK RECORD ACCOUNT
HAVE BEEN ESTABLISHED.

2. PROPERTY ACCOUNTABILITY THRESHOLDS BELOW THE STOCK
RECORD ACCOUNT ARE:

A. FORMAL PROPERTY BOOK RECORDS WILL BE MAINTAINED FOR
PROPERTY WITH A UNIT COST OF \$300 OR MORE AND EXPENDABLE
PROPERTY AUTHORIZED BY TABLES OF ORGANIZATION AND EQUIPMENT
(TOE), MODIFIED TABLES OF ORGANIZATION AND EQUIPMENT (MTOE),
TABLE OF DISTRIBUTION AND ALLOWANCE (TDA) INCLUDING
AUGMENTATION AND DEPLOYABLE, COMMON TABLES OF ALLOWANCES
DEPLOYABLE PROPERTY, AND/OR SPECIAL AUTHORITY AS
ORGANIZATIONAL PROPERTY.

B. INFORMATION MANAGEMENT PROCESSING EQUIPMENT (IMPE)
(FSC 70), INCLUDING COTS, WILL BE ACCOUNTED FOR THE PROPERTY
BOOK RECORD BECAUSE OF THE NATURE OF THE ITEMS AND THE MANY
PUBLIC LAWS REQUIRING ACCOUNTABILITY, VISIBILITY, CONTROL,
REPORTING, AND REUSE OF IMPE. 10 USC 2149, 2323, AND 2667;
15 USC 3701; 41 CFR 201; 63 STAT. 377; AND EO 12677 AND
12876 AS IMPLEMENTED BY DOD 8000.X-M (DEFENSE AUTOMATION
RESOURCES MANAGEMENT PROGRAM) ARE THE BASIS FOR THIS
REQUIREMENT.

C. FORMAL PROPERTY BOOK RECORDS ARE NOT REQUIRED FOR
PROPERTY WITH A UNIT COST OF \$2500 OR LESS FOR INDUSTRIAL
OPERATIONS COMMAND (IOC) EXCLUSIVELY FABRICATED ITEMS USED
IN DEPOT REBUILD PROGRAMS AND IN THE BELOW FEDERAL SUPPLY
CLASSIFICATIONS:

3510	LAUNDRY & DRY CLEANING	4110	REFRIGERATORS
4140	FANS	6240	ELECTRIC LAMPS
7105	HOUSEHOLD FURNISHINGS	7110	OFFICE
FURNITURE			
7125	CABINETS/LOCK/SHELVING	7195	MISC FURN AND
FIX			
7210	HOUSEHOLD FURNISHINGS	7220	FLOOR COVERINGS
7230	DRAPERIES, AWNINGS, AND SHADES		

7290 MISCELLANEOUS HOUSEHOLD & COMMERCIAL FURNITURE &
APPLIANCES
7310 FOOD COOKING, BAKING & SERVING EQUIPMENT
7320 KITCHEN EQUIPMENT & APPLIANCES
7350 TABLEWARE
7820 GAMES, TOYS & WHEELED GOODS
7910 FLOOR POLISHERS AND VACUUM CLEANERS

D. COMMANDERS OR THEIR DESIGNATED REPRESENTATIVE MAY DESIGNATE ITEMS AS PILFERABLE OR OTHERWISE REQUIRE PROPERTY BOOK ACCOUNTING FOR PROPERTY.

3. NEW GENERAL DEFINITIONS FOR NONEXPENDABLE, DURABLE, AND EXPENDABLE ARE:

A. NONEXPENDABLE PROPERTY IS PERSONAL PROPERTY THAT IS NOT CONSUMED IN USE AND THAT RETAINS ITS ORIGINAL IDENTITY DURING THE PERIOD OF USE. THESE ITEMS MAY OR MAY NOT HAVE SERIAL NUMBERS. THIS INCLUDES ALL NONCONSUMABLE MAJOR END ITEMS AUTHORIZED BY DA-RECOGNIZED AUTHORIZATION DOCUMENTS (SEE AR 71-13). IT ALSO INCLUDES ALL SUPPLY CLASS 2, 4, 5, 7, 8, AND 10 ITEMS THAT ARE CLASSIFIED, SENSITIVE, OR PILFERABLE (CONTROLLED INVENTORY ITEM CODE (CIIC) OF OTHER THAN "U" OR "7") ACCORDING TO DA PAMPHLET 708-2, TABLE 3-9. THESE ITEMS HAVE AN ARC OF "N" IN THE ARMY MASTER DATA FILE (AMDF). COMMERCIAL AND FABRICATED ITEMS SIMILAR TO ITEMS CODED "N" IN THE AMDF ARE CONSIDERED NONEXPENDABLE PROPERTY.

B. DURABLE PROPERTY IS PERSONAL PROPERTY NOT CONSUMED IN USE, DOES NOT REQUIRE PROPERTY BOOK ACCOUNTABILITY, BUT BECAUSE OF ITS UNIQUE CHARACTERISTICS REQUIRE CONTROL OF THE PROPERTY BY THE USE OF A HAND RECEIPT OR A PROPERTY INVENTORY LISTING WHEN ISSUED TO THE USER. THE FOLLOWING CLASSES OR TYPES OF PROPERTY WILL BE CLASSIFIED AS DURABLE AS FOLLOWS:

(1) PILFERABLE, CLASSIFIED, OR SENSITIVE EXPENDABLE (NOT CONSUMED IN USE) ITEMS (LESS THOSE WITH A CONTROLLED INVENTORY ITEM CODE "U") AND TOOLS, WHEN ISSUED TO THE USER, WILL BE CONTROLLED AND RESPONSIBILITY ASSIGNED BY USING HAND RECEIPT, COMPONENT HAND RECEIPT, TOOL ROOM, OR TOOL CRIB PROCEDURES (SEE AR 710-2). THESE ITEMS MAY OR MAY NOT HAVE SERIAL NUMBERS.

(2) FURNITURE, FIXTURES, OFFICE EQUIPMENT AND FURNISHINGS: ASSIGNED FEDERAL SUPPLY CLASSIFICATION BELOW WITH A UNIT COST OF LESS THAN \$2500 BUT OVER \$300. SEE PARA 2B ABOVE. THIS PROPERTY WILL BE CONTROLLED BY USING A PROPERTY INVENTORY LIST. THE LIST IS TO BE SIGNED BY A DESIGNATED RESPONSIBLE PERSON OR USER (SEE PARAGRAPH 2-8, REF B) WHEN ISSUED TO EACH WORK STATION, ROOM, BUILDING, UNIT, OR ORGANIZATION. COMMANDERS WILL DESIGNATE THE INDIVIDUAL(S). SIGNING FOR PROPERTY ON A PROPERTY INVENTORY LIST DOES NOT RELIEVE INDIVIDUALS OF THE RESPONSIBILITY TO ENSURE GOVERNMENT PROPERTY ENTRUSTED TO THEIR POSSESSION, COMMAND, OR SUPERVISION IS PROPERLY USED AND CARED FOR AND

THAT PROPER CUSTODY AND SAFEKEEPING ARE PROVIDED, TO INCLUDE PERIODIC QUANTITY RECONCILIATION WITH THE PROPERTY INVENTORY LIST. THIS MATERIEL WILL REQUIRE A PROPERTY PASS (DA FORM 1818, SEE AR 210-10) TO BE MOVED FROM ONE LOCATION/BUILDING TO ANOTHER OR TURN IN TO THE PROPERTY BOOK OFFICER WHICH WILL BE SIGNED BY A DESIGNATED RESPONSIBLE INDIVIDUAL. THESE ITEMS MAY OR MAY NOT HAVE SERIAL NUMBERS.

C. EXPENDABLE PROPERTY IS PROPERTY THAT IS CONSUMED IN USE, OR THAT LOSES ITS IDENTITY IN USE. IT INCLUDES ITEMS NOT CONSUMED IN USE, WITH A UNIT PRICE OF LESS THAN \$300, THAT ARE NOT CLASSIFIED, SENSITIVE, OR PILFERABLE, E.G., CIIC "U OR 7" PER DA PAMPHLET 708-2, TABLE 3-9, AND NOT OTHERWISE CLASSIFIED AS NONEXPENDABLE OR DURABLE.

(1) ACCOUNTING FOR EXPENDABLE PROPERTY BEFORE ISSUE TO THE USER WILL REQUIRE FORMAL ACCOUNTING AT A STOCK RECORD ACCOUNT (SRA).

(2) EXPENDABLE PROPERTY AUTHORIZED BY TABLES OF ORGANIZATION AND EQUIPMENT (TOE), MODIFIED TABLES OF ORGANIZATION AND EQUIPMENT (MTOE), TABLE OF DISTRIBUTION AND ALLOWANCE (TDA) INCLUDING AUGMENTATION AND DEPLOYABLE, COMMON TABLES OF ALLOWANCES DEPLOYABLE PROPERTY, AND/OR SPECIAL AUTHORITY AS ORGANIZATIONAL PROPERTY WILL BE ACCOUNTED FOR IN THE SAME MANNER AS NONEXPENDABLE PROPERTY. THESE ITEMS MAY OR MAY NOT HAVE SERIAL NUMBERS.

(3) FOR ACCOUNTING PURPOSES, OTHER EXPENDABLE PROPERTY NOT AUTHORIZED AS IDENTIFIED IN PARAGRAPH 3C(2) ABOVE IS CONSIDERED CONSUMED UPON ISSUE TO THE USER.

4. THESE CHANGES ARE EFFECTIVE IMMEDIATELY AND WILL BE INCORPORATED INTO REF B, UNIT SUPPLY UPDATE ISSUE NUMBER 16.

5. POCS FOR THIS ACTION IS MR. FRED OWEN, USALIA, DSN 977-7572 AND MR. STINSON, DALO-SMP, DSN 224-6756.

BT

FY 97 CMR SCHEDULE
REVISED
AS OF 23 DEC 96

<u>INSTALLATION</u>	<u>DATE</u>	<u>REMARKS</u>
Devens	21-25 Oct	Complete
AACC	4-8 Nov	Complete
Irwin	13-17 Jan	
Stewart	10-14 Feb	*
Hood	3-7 Mar	*
FIG/Oakdale	17-21 Mar	Cancelled*
Stand Down Day #2	19 Mar	*
Roadshow	14-16 Apr	*
DOC Contracting Workshop	17-18 Apr	*
Polk	12-16 May	
Riley	10-13 Jun	*

*Indicates change



DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT SECRETARY
RESEARCH DEVELOPMENT AND ACQUISITION
103 ARMY PENTAGON
WASHINGTON DC 20310-0103

123 DEC 1996

REPLY TO
ATTENTION OF

SFAE-CSA-COP

MEMORANDUM FOR DISTRIBUTION

09 DEC 1996

SUBJECT: Competitive Professional Developmental
Assignment Opportunities

This memorandum is to remind all civilian contracting and acquisition career personnel of FY 97 Professional Developmental Assignment Opportunities in the Office of the Deputy Assistant Secretary of the Army (Procurement) (DASA(P)). Request Principal Assistants Responsible for Contracting (PARCs) make the widest possible distribution of this information.

This program offers excellent opportunities for training and development that are vehicles for individuals to enhance their skills and gain the necessary experience to progress in the acquisition career field.

An assignment can be as long as twelve months in duration. Duty location may be in the Office of the DASA(P) at the Pentagon, or the U.S. Army Contracting Support Agency, Falls Church, Virginia. Applications for Developmental Assignments are described in detail in the enclosed document entitled "FY 97 Catalog of Civilian Training Education and Professional Development Opportunities" pages 69 through 73. You should check with your local Civilian Personnel Office for application suspense dates.

For further information, contact Mr. Don Tucker, (703) 681-5408, DSN 761, e-mail tuckerd@sarda.army.mil or Ms. Dorothy Hindman at (703) 681-9141, e-mail hindmand@sarda.army.mil.

Esther Morse

Ms. Esther Morse
Functional Chief's Representative,
Civilian Contracting and
Acquisition Career Program

Enclosure

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Encl 5

FCR SUMMARY OF TRAINING OPPORTUNITIES (CONT'D)

Security Fellows design their own activities within the broad framework of the fellowship program, which includes research, fellows executive program, auditing courses, guest speaker programs, and faculty seminars. Program expenses are limited to tuition, books, supplies, and applicable per diem (if appropriate). Salary and personal benefits will not be reimbursed.

Short-term training

This training opportunity is open to all Department of the Army employees at the GS-12 level or above, and exceptional GS-11s, having career status, in a permanent, competitive appointment in the SMCP (CP-13). Applicants who do not meet this criteria may request a formal waiver through nominating channels. Careerists in other logistics career programs - i.e., maintenance, transportation, quality assurance, and ammunition management may also apply to this position to expand their logistics expertise.

This opportunity is for developmental assignments/training of less than 120 days for the purpose of broadening careerists' experience or to gain knowledge of echelons and functional areas within CP-13. Applicants must work with their ACPM to develop a viable assignment and obtain command and MACOM approval prior to submitting to HQDA for consideration.

Process for Selection of Competitive Procedures - The evaluation process for CP-13 is based upon using a quantitative spreadsheet used to rank/rate applicants in a prioritized sequence. Emphasis for scoring is in the areas of MACOM rating, TAPES evaluations and knowledge of KSA's. The Functional Chief Representative (FCR) reviews the recommended scoring and makes final selections.

Points of Contact - Mrs. Kathleen M. Schulin, DSN 227-1542, commercial 703-697-1542, email schulin@pentagon-hqdadss.army.mil.

CONTRACTING AND ACQUISITION (CP-14)

Academic Requirements for Undergraduate and Graduate University Training -

a. Course study must be from an accredited institution of higher education in any of the following disciplines: accounting, business finance, law, contracts, purchasing, economics, industrial management, marketing, quantitative methods, and organization and management as prescribed in 10 U.S.C. 1724. Evaluation of Government completed courses may be submitted to the University for credit to avoid duplication and additional cost to the Army. Students are required to maintain a "C" average at the undergraduate level and a "B" average at the graduate level. It is the responsibility of the Principal Assistants Responsible For Contracting to verify that the grade levels are being maintained. The Government's interests must be protected when

FCR SUMMARY OF TRAINING OPPORTUNITIES (CONT'D)

an employee fails to complete training for which DA pays all or part of the training expenses (Government and Non-Government training). **If the student fails to complete training satisfactorily, the guidelines of AR 690-400 Chapter 410, Subchapter 6, paragraph 6-4.b., apply.**

b. Undergraduate/Graduate University Training. This is not a Degree Program. But, if the individual completes graduation as a result of this training, it is permitted.

(1) Full-Time University Training. The training must: (a) be a continuous full-time program; (b) be in excess of 120 working days; or (c) consist of a full-time course load of a minimum of 12 undergraduate semester hours or 9 graduate semester hours (or equivalent quarter hours) in 12 consecutive months.

(2) Specific Part-Time University Training. The training may consist of evening, weekends and/or part-time courses at a rate of less than 12 semester (or equivalent) quarter hours.

(3) Specific Short-Term Training. Training will be forwarded through the Functional Chief's Representative (FCR) channels for approval by the FCR.

c. University Eligibility Requirements. Employees must be GS-11 and above, have career status, and be in a permanent competitive appointment (exceptional GS-9, non-intern, journeymen employees will be considered on a case-by-case basis and selection will be based on the need for training and the utilization plan.

d. University Training Selection Criteria. See below

e. Cost Sharing of Non-Government Training (University). Backfill salary dollars for individuals in the University Training Program will not be provided. This is in order to maximize the opportunity for as many contracting personnel as possible to participate in the Competitive Professional Developmental (CPD) Program. Program expenses are limited to books, tuition and supplies. Applications for University training must also include a letter of acceptance from the University. The applicants must specify on their Academic Plan whether they are applying for full-time or part-time study. Full/Part time participation can not be combined.

f. University Training Program Dates. Applicants are asked to plan for a one-semester lead-time due to administrative processing and fund transfer time. (Example: October closing-School starts in January (2nd Qtr)).

g. Location of University Training. Accredited College/ University of Choice within the applicants commuting area (200 mile radius). While in training, the selectee's Command/

FCR SUMMARY OF TRAINING OPPORTUNITIES (CONT'D)

Activity/Laboratory will continue paying all costs for salary and personal benefits.

h. **Request for Central Resource Support.** Authorized expenses for travel, per diem, tuition, and books will be covered by the CPD Program in accordance with the Joint Travel Regulation (JTR).

The Request for Central Resource Support-Civilian Training Form must be signed by the training officer of the local/MACOM civilian personnel office. Local travel will be authorized in accordance with the JTR. Supporting justification must accompany an application when applying for a University outside the local commuting area. A cost comparison of TDY expenses and a partial permanent change of station (PCS) is required in accordance with the JTR. A limited PCS may be granted if found less costly to the Government. **Provide an official written statement from the institution that the total amount for the program requested by the applicant will or will not be accepted in advance. Please attach the statement to the Central Resource Form. Additionally, indicate if there is a percent (%) reduction in tuition due to paying the total amount in advance.** If tuition is to be paid in advance, then the total amount must be shown in the 1st column, block 8b. Breakout of the elements of expenses for the total amounts must equal the totals shown vertically and horizontally for the training period only. When expenses are shown in column 2, block 8c, then the total tuition amount for the period indicated in block 7 of the Request for Central Resource Support Form will not be paid in advance. Please take care in preparing this form. If further assistance is required, contact the CP-14 POCs during your planning stages.

Developmental Assignments and Significant Short-Term Training Opportunities - In accordance with AR 690-400, Subchapter 410, paragraph 10-5, Developmental assignments/training may be up to one-year assignments.

a. **Department of the Army Developmental Opportunities.** The Department of the Army is offering 6 to 12 month assignments for employees (GS-12 through GS-15) in the Office of the Deputy Assistant Secretary of the Army (Procurement) and the U. S. Army Contracting Support Agency (USACSA), Falls Church, Virginia. There is a total of 4 positions. The assignments are for 6 months or 1 year duration. The applicants must indicate their preference for a 6 months or 1 year assignment. These assignments are open to all Department of the Army employees at the GS-12 level or above, and exceptional GS-11s, having career status, in a permanent competitive appointment in the Contracting and Acquisition Career Program (CP-14).

(1) **Six-month Developmental assignments, or**

(2) **One-year Developmental assignments**

b. **Assignments.** Rotational or Stationary Assignments include, but are not limited to the following areas: **Acquisition Reform, Contracting Operation Support, Procurement Policy,**

FCR SUMMARY OF TRAINING OPPORTUNITIES (CONT'D)

DAR Council Case Work, Civilian Proponency/Career management, and Procurement Management Reviews. Assignment may include up to one week of travel per month.

c. **Objectives.** Assignments will enhance the individual's understanding of the Army's programs, issues, interaction/ integration with Federal/DOD Joint Services, and Army Policy (i.e., to include FAR/DAR Council case work, Career Management, Acquisition Reform, Installation Support and participation in Army Procurement Management Reviews).

d. **Duties.** Each selectee will be mentored by an Army Action Officer or perform the duties as a staff action officer depending on their experience. In this capacity, the selectee will review and analyze issues to determine impacts on contracting and acquisition; participate in the development of Army policy, serve as a team member on the Procurement Management Review Team, and assist in the development of Army Policies and Procedures for Acquisition Career Management.

e. **Administrative.**

(1) Travel and per diem will be paid under the CPD Program in accordance with the JTR.

(2) Backfill salary dollars for individuals selected for developmental assignments will not be provided in order to maximize the opportunity for as many contracting personnel as possible to participate in the CPD program. **Developmental Assignments will begin January 1997.**

HQDA Cross-Training Assignment Opportunities - Cross-training of employees (GS-11 through GS-15) is intended to impart a variety of managerial or technical skills and knowledge that will improve the capability of the organization and its employees. This may involve an exchange of individuals normally engaged outside the organization such as the **Directorate of Logistics (DOL), Directorate of Engineering and Housing (DEH), the Directorate of Information Management (DOIM) or other Directorates.** Applicants and their supervisors will coordinate all arrangements for assignments and provide a development plan in their application package that addresses the objectives and benefits to the applicant and the Army. Cross-training assignments serve to enhance the performance of participants in their present series. These assignments will be no less than four months and no more than 12 months.

Administrative Information -

a. **Selection of Trainees/Career Factors (AR 690-400, Subchapter 410, paragraph 10-5).** All selections will be made on a competitive basis. Evaluation of applications will be accomplished by a board of senior procurement officials. The selection criteria will be based in six

FCR SUMMARY OF TRAINING OPPORTUNITIES (CONT'D)

areas, (1) Post Utilization, (2) Criticality of training, (3) Personal motivation/potential, (4) Education/training, (5) Depth of contracting experience, and (6) Awards & performance ratings. Requested training or developmental assignments must clearly benefit the mission and function of the organization. Individuals will be ranked by order of merit.

b. **Submission of Applications.** Applications will not be considered unless they are complete, containing all required documentation, to include endorsements, as stipulated in this announcement.

c. The points of contact in the Contracting and Acquisition Career Program (CP-14) Proponency Office are Ms. Dorothy Hindman, (703) 681-9141, DSN 761-9141, email: hindmand@sarda.army.mil, or Mr. Donald Tucker, (703) 681-5408, DSN 761-5408, email: tuckerd@sarda.army.mil. The Functional Chief's Representative is Ms. Esther Morse, (703) 695-3039, DSN 225-3039, email: morsee@sarda.army.mil.

QUALITY RELIABILITY ASSURANCE (CP-15)

The following training will be funded by ACTEDS resources only within commuting distance of employee's training site (50 mile radius). **SALARY AND BENEFITS WILL NOT BE PROVIDED.**

University Training - in which an employee attends a university on a continuous, full-time basis for more than 120 working days. The policy is to use long-term training when such assignments provide opportunities for career employees to develop competencies which cannot be met by short-term training.

Grade Level - The minimum grade level for university training is GS-12.

Developmental Assignment - Cross-training of employees (GS-9 through GS/GM-15) to impart a variety of managerial/technical skills and knowledges which will improve the capability of the organization and its employees. This may involve an exchange of individuals normally engaged within and outside the agency. Developmental assignments serve to enhance the performance of participants in their present series. These assignments will be no less than four months and no more than 12 months.

Process for Selection of Competitive Procedures: Selection is made based on approval of the advisory group, which is made up of Career Program 15 ACPMs, and the FCR.

Point of Contact - Ms. Melba Martin, DSN 788-9018 or commercial (205) 842-9018.

Nations, Inc., B-272455, November 5, 1996



Matter of: Nations, Inc.

File: B-272455

Date: November 5, 1996

William H. Butterfield, Esq., Kilcullen, Wilson and Kilcullen, for the protester. Nicholas P. Retson, Esq., Marvin Kent Gibbs, Esq., and Kim K. Judd, Esq., Department of the Army, for the agency. Scott H. Riback, Esq., and John M. Melody, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

DIGEST

Protest that solicitation covers "advisory and assistance" services, and thus improperly provides for award of a single requirements contract, is sustained; professional technical services in support of battlefield simulation training fall within statutory and regulatory definitions of advisory and assistance services, and such services must be procured under multiple award, indefinite delivery, indefinite quantity-type contracts where, as here, contract price will exceed \$10 million and contract term exceeds 3 years.

DECISION

Nations, Inc. protests the terms of request for proposals (RFP) No. DABT65-96-R-0001, issued by the Department of the Army for services in support of various computer simulation training facilities. Nations principally maintains that the RFP improperly contemplates the award of a single requirements type contract rather than multiple indefinite delivery, indefinite quantity (IDIQ) type contracts.

We sustain the protest.

As part of their training, Army officers participate in interactive, "event driven" computer simulation exercises employing scenarios that realistically model the capabilities of the Army, allied forces and selected opposing forces. These exercises are conducted at numerous facilities throughout the United States by the Army's Training and Doctrine Command (TRADOC). The RFP calls for contractor personnel to provide an array of support services in connection with TRADOC's simulation training program. These services include technical preparation for and assistance in executing the exercises (loading the appropriate data or scenarios into the simulation computers, participating as "interactors" and providing data during post-exercise review sessions conducted by the agency's personnel), evaluation of government-supplied enhancements to the simulators, drafting descriptive software change requests generated by the agency, and recommending computer hardware for system

upgrades.

The RFP contemplates the award of a single task order contract--a combination fixed-price, lump-sum (for performance of work at Fort Leavenworth, Kansas), and requirements contract (for performance of additional work at Fort Leavenworth, and at numerous other Army schools). The RFP provides for a phase-in period, a base year and three 1-year options. If all of the estimated requirements quantities are ordered, the value of the contract will exceed \$10 million.

The protester maintains that the services under the requirements portion of the RFP are "advisory and assistance" services, and that Federal Acquisition Regulation (FAR) § 16.503(d) (FAC 90-41) precludes the use of a requirements type contract for the purchase of such services where, as here, the agency has not made a written determination that the services in question are so unique or highly specialized that it is not practicable to make multiple IDIQ contract awards. Nations concludes that the RFP should be amended accordingly.

The agency does not dispute that the contract will exceed the duration and dollar value thresholds, but maintains that the services in question do not fall within the definition of advisory and assistance services, and that an IDIQ contract thus is not required. The Army maintains that the FAR definition of advisory and assistance services encompasses only management-type advice and assistance, and asserts that this solicitation is outside that definition because it is only for the acquisition of training support services. According to the Army, the contractor's employees will not provide advice and assistance to the agency in terms of how to manage this training program, will not participate in any management-level decision making, and will not otherwise assist the agency in meeting its policy development or program management responsibilities relating to the computer simulation training program.

The Federal Acquisition Streamlining Act of 1994 (FASA), 10 U.S.C. § 2304b(e) (1994), provides that, in obtaining advisory and assistance services using task order type contracts (where the anticipated value is more than \$10 million and the duration is more than 3 years), the solicitation must specifically provide for multiple awards unless the head of the agency concerned determines in writing that the services in question are so unique or highly specialized that it is not practicable to award more than one contract. This provision essentially requires that agencies award multiple task order contracts for advisory and assistance services for high value, long term contracts unless the determination relating to the nature of the services has been executed. FAR § 16.503(d); see also S. Rep. No. 103-258, 103d Cong., 2d Sess. 15-16 (1994).¹¹

FASA, 31 U.S.C. § 1105(g)(1) (1994), defines advisory and assistance services in terms of three categories:

- "... the term 'advisory and assistance services' means the following services:" (i) Management and professional support services. (ii) Studies, analyses and evaluations. (iii) Engineering and technical services."¹²

FAR § 37.201 (FAC 90-41) further defines advisory and assistance services as including services to support or improve organizational policy development, decision making, management and administration, program and/or project management and administration, or research and development activities; it further states that outputs may include training and the day-to-day aid of support personnel needed for the successful support of ongoing federal operations. In addition, FAR § 37.201 provides three definitional subdivisions that mirror the statutory definition, namely, Management and Professional Support Services, Studies, Analyses and Evaluations, and Engineering and Technical Services. For purposes of this protest, the description of Management and Professional Support services is relevant; it provides:

"Management and professional support services, *i.e.*, contractual services that provide assistance, advice or training for the efficient and effective management and operation of organizations, activities (including management and support services for [research and development] activities) or systems. These services are normally closely related to the basic responsibilities or mission of the agency originating the requirement for the acquisition of services by contract. Included are efforts that support or contribute to improved organization of program management, logistics management, project monitoring and reporting, data collection, budgeting, accounting, performance auditing, and *administrative/technical support for conferences and training programs.*" (Emphasis supplied.)

It is clear that, insofar as training services are concerned, the statutory and regulatory definitions include administrative or technical services of a professional nature that support the agency's training personnel in discharging their central mission-related obligations. The services at issue here provide critical, professional support to TRADOC's training personnel that enables them to effectively discharge their central mission of training brigade and battalion level officers. The contractor employees are required to be highly-skilled professionals--specifically, former Army officers with brigade and battalion level warfighting experience--and the services they provide--operation of the simulators, acting as 'interactors' for the trainees, and providing post-exercise data used by TRADOC's personnel in their critique of the exercise--are necessary for TRADOC's personnel to effectively perform their mission.

We are unpersuaded by the Army's position that contracts for management-related services are the only type contemplated by the statutory and FAR definitions of advisory and assistance services, or that training support services of the type being acquired here are outside of the applicable definitions. While the Army's position appears generally correct under the earlier version of this regulation, *see* FAR part 37.2 (FAC 90-41), the current FAR definition of advisory and assistance services describes management and professional support services and engineering and technical services in a manner somewhat broader than only management-related services. As quoted above, the last sentence of that portion of the advisory and assistance services definition that describes management and professional support services includes ". . . efforts that support or contribute to improved . . . administrative/technical support for conferences and training programs." FAR, § 37.201(a) (FAC 90-41). This category of services--administrative/technical support for conferences and

training--was not included in the earlier definition of management and professional support services. FAR § 37.203(c)(2) (FAC 90-41).

We note that the prior definition of advisory and assistance services found in the FAR specifically excluded training necessary to maintain skills necessary for normal operations, FAR § 37.203 (FAC 90-41), and this exclusion does not appear in the current FAR definition. When read together with the revised FAR description of management and professional support services, the elimination of this exception supports the conclusion that services in support of training necessary to maintain skills for normal operations, such as the training contemplated under this RFP, are now included within the revised definition of advisory and assistance services.¹³

Finally, the umbrella-type task order contract to be awarded under this RFP appears to be the kind of contract targeted by Congress under FASA; the solicitation contemplates the award of a single contract for virtually all of the Army's requirements for support of computer simulation training at a large number of facilities throughout the United States. The Senate report regarding the relevant statutory provisions expressed a concern that:

"... the indiscriminate use of task order contracts for broad categories of ill-defined services necessarily diminishes competition and results in the waste of taxpayer dollars. In many cases, this problem can be effectively addressed . . . by awarding multiple task order contracts for the same or similar services. . . ."

S. Rep. No. 103-258, 103d. Cong., 2d Sess. 15 (1994).

We conclude that the services under the RFP are encompassed by the FAR definition of advisory and assistance services, and that, due to the duration and dollar value of the contract, the Army was required to execute a determination and finding before proceeding on a requirements contract basis. Because it did not do so, the RFP is defective.¹⁴

In view of the foregoing, we are recommending by separate letter of today to the Secretary of the Army that the agency either amend the solicitation to provide for the award of multiple IDIQ type contracts, or execute the necessary written determination that the services at issue are so unique or of a highly specialized nature that it is not practicable to make multiple awards. We also recommend that Nations be paid the costs of filing and pursuing its protest, including reasonable attorneys' fees. Nations should submit its certified claim, detailing the time expended and the costs incurred, directly to the Army within 60 days of its receipt of this decision. 4 C.F.R. § 21.8(f)(1) (1996).

The protest is sustained.

Comptroller General of the United States

NOTES

¹³ For contracts that are below the \$10 million/3-year threshold, or are for requirements other than advisory and assistance services, the FAR merely expresses a preference for multiple award task order contracting. 10 U.S.C. §§ 2304a(d)(3); FAR 16.504(c)(1), (2).

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\2 The definition of advisory and assistance services includes a number of specific exclusions that are not relevant here.

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\3 The Army relies on the terms of Department of Defense Directive No. 4205.2 and Army Regulation No. 5-14 in support of its argument that the services at issue are not advisory and assistance services; both provisions specifically except from the definition of advisory and assistance services "training obtained for individual professional development." These provisions, which were promulgated prior to the passage of FASA in 1994 and the issuance of the new FAR provisions in 1995, have been superseded by the revised description of management and professional support services included in the current definition of advisory and assistance services.

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\4 Nations also contends that the RFP violates the Antideficiency Act, 31 U.S.C. § 1341 (1994), because the agency does not currently have funds appropriated for this requirement. However, the RFP includes the clause at FAR § 52.232-18, which is specifically designed for situations where an agency issues a solicitation contemplating the award of a contract for which funds have not yet been appropriated. The clause explains to offerors that funds are not yet available for the requirement, and that no government liability will arise for any payment until the contractor receives written notice from the contracting officer of the availability of funding. This allegation therefore is without merit.

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